



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



David & Sharon Eaton  
246 Mayflower Dr  
Manchester, NH 03104

**LETTER OF DEFICIENCY**

**#SP-2004-16**

November 22, 2004

RE: DES Wetlands File #2004-02683 79 Cummings Cove Rd, Meredith

Dear Mr. and Mrs. Eaton:

On November 9, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, identified as Meredith Tax Map U26, Lot 14, Cummings Cove Road, Meredith, New Hampshire (the "Property"). The purpose of this site inspection was to determine compliance with RSA 483-B, The Comprehensive Shoreland Protection Act. During the inspection the following deficiency was noted:

- Within 150 feet of the Lake Winnepesaukee reference line, an area measuring approximately 75 feet in width had been cleared of trees. DES personnel counted a total of 22 tree stumps, and 6 sapling stumps within this area. A well-distributed stand of trees and saplings were not left in place within the protected shoreland buffer.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES.

The restoration plan should propose that native saplings be planted to replace the trees that were cut. Please submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing;
  - i. existing conditions,
  - ii. proposed conditions after restoration with native saplings.
- b. A detailed description of the proposed means of erosion and sediment controls and stabilization of the restoration area;
- c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area. A plantings plan showing the number of saplings, species, and proposed location of saplings. Saplings should be a minimum of 4-6 feet in height and should be selected from the list of New Hampshire native and naturalized species. Saplings should be proposed in areas where trees were removed.
- d. A description of the proposed construction sequence and methods for accomplishing the restoration, and time frame for completion.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 483-B, CSPA, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establishes minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 483-B will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

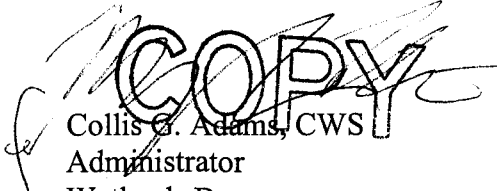
DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Allyson Gourley, Shoreland Compliance Coordinator  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Enclosed, for your information, are copies of fact sheets explaining the Comprehensive Shoreland Protection Act, and proper installation and maintenance of erosion control measures. Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Allyson Gourley at (603) 271-6876.

Sincerely,

  
Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL # 7004 1160 0005 9765 0971

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Meredith Conservation Commission  
Meredith Board of Selectmen  
Meredith Code Enforcement Officer - Bill Edney  
Russ Bean - Agent